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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE ACCURAY, INC. SHAREHOLDER )  
DERIVATIVE LITIGATION )

Lead Case No. C 09 05580 CW

This Document Relates To:

ALL ACTIONS.

**ORDER AWARDING PLAINTIFFS'  
COUNSEL ATTORNEYS' FEES AND  
EXPENSES AND PLAINTIFFS' CASE  
CONTRIBUTION AWARDS**

1 This matter came before the Court for hearing on May 5, 2011, to consider approval of the  
2 proposed settlement ("Settlement") set forth in the Stipulation of Settlement dated March 11, 2011,  
3 and the exhibits thereto (the "Stipulation"). The Court has reviewed and considered all documents,  
4 evidence, objections (if any), and arguments presented in support of or against the Settlement and on  
5 the application of Plaintiffs'-Appellants' Counsel and Demand Shareholder's Counsel for an award of  
6 the agreed upon attorneys' fees and expenses incurred in the litigation; the Court, having considered  
7 all papers filed and proceedings conducted herein, and having found the Settlement of this litigation  
8 to be fair, reasonable, and adequate, and otherwise being fully informed in the premises and good  
9 cause appearing therefore:

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

11 1. This Judgment incorporates by reference the definitions in the Stipulation, and all  
12 capitalized terms used herein shall have the same meanings as set forth in the Stipulation.

13 2. This Court has jurisdiction over the subject matter of the application and all matters  
14 relating thereto, including over all Settling Parties.

15 3. The Court hereby approves the Fee and Expense Award in accordance with the  
16 Stipulation and finds that the amount of fees awarded is fair and reasonable. No other fees, costs, or  
17 expenses may be awarded to Plaintiffs'-Appellants' Counsel and Demand Shareholder's Counsel in  
18 connection with the Settlement. The Fee and Expense Award shall be paid to Plaintiffs'-Appellants'  
19 Counsel and Demand Shareholder's Counsel in accordance with the terms of the Stipulation.

20 4. The Court hereby approves the incentive award of \$1,000 to be paid to each plaintiff,  
21 Thomas Beebe, Christopher Borrelli, Sanjay Israni, and Eric Bachinski, for their participation and  
22 effort in the prosecution of Plaintiffs' Actions, to be paid by Plaintiffs'-Appellants' Counsel and  
23 Demand Shareholder's Counsel from the Fee and Expense Award.

24 IT IS SO ORDERED.

25 DATED: May 6, 2011



26 THE HONORABLE CLAUDIA WILKEN  
27 UNITED STATES DISTRICT JUDGE  
28

Submitted by:

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s/ Kelly M. McIntyre

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